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JUL 22 1993

UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

In the Matter of

Grace Sierra Chemical Co., Inc.,)

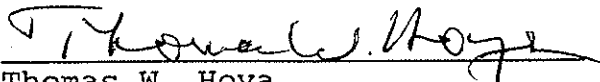
Petitioner)

FIFRA Docket No. 655

ORDER

This Order records the receipt by this Office of Petitioner's July 29, 1993 Notice of Withdrawal of Objections to Respondent's Notice of Intent to Cancel the registration of Milban (Reg. No. 58185-12), and of Respondent's July 30, 1993 letter expressing no objection to such Notice of Withdrawal. Petitioner's Notice of Withdrawal and Respondent's letter both stated that the cancellation became effective as of the date of Petitioner's Notice of Withdrawal, July 29, 1993. Accordingly, this Order records the conclusion of this case, which is now removed from the docket of this Office.

This Order also summarizes the July 27 and 28, 1993 telephone conferences, and states for the record the agreements reached therein. In the telephone conferences, Petitioner was represented by James P. Rathvon, and Respondent was represented by Mary E. Gleaves and Lauren Celeste. It was proposed in the first conference, and agreed in the second, that Petitioner would withdraw its Statement of Objections to Respondent's above Notice of Intent to Cancel, and that such cancellation would then become effective as of the date of such withdrawal. As stated above, after these two telephone conferences, the parties then made the filings that reflected the agreement reached in the conferences.


Thomas W. Hoya
Administrative Law Judge

Dated: July 30, 1993

7/30/93

UNITED STATES OF AMERICA
ENVIRONMENTAL PROTECTION AGENCY

BEFORE THE ADMINISTRATOR

IN THE MATTER OF)	
)	
Group Eight Technology, Inc.,)	Docket No. TSCA-V-C-66-90
)	
Respondent)	

**ORDER DENYING COMPLAINANT'S MOTION
FOR ACCELERATED DECISION**

Region V of the United States Environmental Protection Agency ("EPA") filed a Complaint against Group Eight Technology, Inc. ("Group 8") on May 22, 1990. The Complaint alleged that Group 8 had violated regulations (40 C.F.R. Section 761) related to the storage, labeling, and disposal of PCB materials.

By motion filed May 20, 1992, EPA seeks an accelerated decision on the issue of liability. Group 8 responded in opposition to the motion.

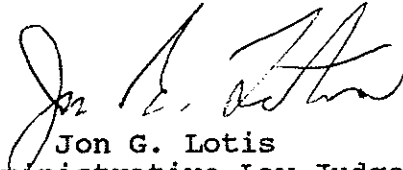
Upon review of the motion, answer and related pleadings, it appears that there are facts and circumstances that are not altogether clear or uncontroverted. Moreover, these facts and circumstances may affect the disposition of the liability issue. To allow for a clearer exposition and development of the issues, including issues related to the proposed penalty, an evidentiary hearing is necessary.

Accordingly, EPA's motion will be denied.

By separate order issued this same day, I have found that a hearing is necessary in another complaint case brought by the EPA against Group 8's insurer, Employers Insurance Company of Wausau.^{1/}

^{1/} In the Matter of Employers Insurance Company of Wausau, Docket No. TSCA-V-C-62-90.

Because the instant case, and the Wausau case arise from a common set of facts and circumstances, and six of the same witnesses are scheduled to appear in the two cases, another order issued today will consolidate the cases.

A handwritten signature in black ink, appearing to read "Jon G. Lotis".

Jon G. Lotis
Administrative Law Judge

Dated: July 30, 1993
Washington, D.C.

IN THE MATTER OF GROUP EIGHT TECHNOLOGY, INC., Respondent,
Docket No. TSCA-V-C-66-90

CERTIFICATE OF SERVICE

I certify that the foregoing Order Denying Complainant's Motion For Accelerated Decision, dated July 30, 1993, was sent in the following manner to the addressees listed below:

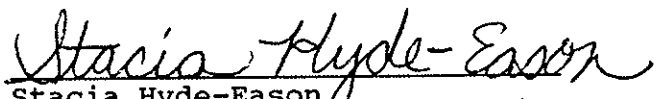
Original by Regular Mail to:

A. Marie Hooks
Regional Hearing Clerk
U.S. Environmental Protection
Agency, Region V
77 West Jackson Boulevard
Chicago, IL 60604

**Copy by Certified Mail, Return
Receipt Requested to:**

Counsel for Complainant: Richard Wagner, Esq.
Associate Regional Counsel
U.S. Environmental Protection
Agency, Region V
77 West Jackson Boulevard
Chicago, IL 60604

Counsel for Respondent: John L. Christensen, Esq.
Lopatin, Miller Law Firm
1301 East Jefferson Avenue
Detroit, Michigan 48207-3197


Stacia Hyde-Eason
Legal Technician, Office of
Administrative Law Judges
U.S. Environmental Protection Agency
401 M Street, S.W.
Washington, D.C. 20460

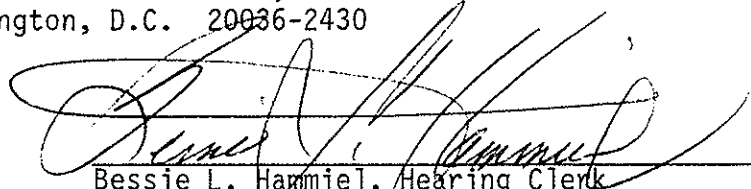
Dated: July 30, 1993
Washington, D.C.

CERTIFICATE OF SERVICE

I do hereby certify that the foregoing Order was filed in re
Grace Sierra Chemical Company, Inc.; FIFRA Docket No. 655 and
copies of the same were served on the parties listed below:

Mary E. Gleaves, Esq.
Laurel Celeste, Esq.
U.S. Environmental Protection Agency
Office of General Counsel (LE-132P)
401 M Street, S.W.
Washington, D.C. 20460

James P. Rathvon, Esq.
Counsel for Complainant
Piper & Marbury
1200 Nineteenth Street, N.W.
Washington, D.C. 20036-2430

A large, stylized handwritten signature in black ink, likely belonging to Bessie L. Hammel, is written over a horizontal line.

Bessie L. Hammel, Hearing Clerk
U.S. Environmental Protection Agency
401 M Street, S.W.
Washington, D.C. 20460

Dated: Aug. 2, 1993